



WELCOME TO THE PUBLIC MEETING FOR THE PHASE II MS4 DRAFT PERMIT

Please note that everyone is entering the meeting with their microphones muted.

Please keep your microphones muted except when you are speaking. This will help us minimize background noise.

Please take a moment to open the Participants list and rename yourself to show your full name and affiliation, so we have that for our records. You should see a “Rename” option next to your name (or click on “More” to find this option).

To make a comment during this meeting, please do one of the following:

- **Indicate you would like to make a comment using the Chat feature.**
- **Under the Participants list, select the “raise your hand” option. The host will call on you to ask your question or make your comment.**





GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Public Meeting Phase II MS4 NPDES Permit

Veronica Crow
EPD Watershed Protection Branch
Nonpoint Source Program Manager

Public Meeting
September 29, 2022



PURPOSE

- ❖ This public meeting will consist of an open forum period during which the public will be able to ask questions about the draft permit.
- ❖ A public hearing will follow this public meeting. Formal statements may be made and entered into the official record during the public hearing.
- ❖ A link to the recording for today's meeting can be obtained by emailing miranda.knepp@dnr.ga.gov. Please include "*Phase II Public Meeting Recording*" in the subject line of the email.



AGENDA

- ❖ Timeline and Written Comments
- ❖ Significant Changes from the 2017 Permit
- ❖ Changes Since August 2022 Draft
- ❖ Bacteria Equivalency Strategy
- ❖ Reminders

- ❖ Break for Public Hearing



PHASE II DRAFT

- ❖ Stakeholder Version & Public Notice – March 25, 2022
- ❖ Virtual Stakeholder Meeting – April 19, 2022
- ❖ Draft & Public Notice Website Posting – August 25, 2022
- ❖ The Draft Permit is available on GA EPD's website at <https://epd.georgia.gov/watershed-protection-branch/storm-water/municipal-stormwater>



SUBMITTING WRITTEN COMMENTS

- ❖ **Deadline: Tuesday, October 4, 2022**
- ❖ Written comments on the draft permit should be sent to EPDComments@dnr.ga.gov. Please include “*Draft Phase II MS4 General Permit GAG610000*” in the subject line of the email
- ❖ Regular mail to:
 - Georgia Environmental Protection Division
 - Nonpoint Source Program, Municipal Stormwater
 - 2 Martin Luther King Jr. Drive
 - Suite 1462 East
 - Atlanta, Georgia 30334
- ❖ EPD greatly appreciates email comments.



MS4 PHASE II DRAFT PROPOSED CHANGES

Part 1

- ❖ Revised to say that the permittee is liable for permit compliance and the implementation of the Stormwater Management Program (SWMP)

Part 2

- ❖ Revised to include the Rules by reference

Part 4

- ❖ Clarified that EPD will review the SWMP and that permittees must update the SWMP to comply with the latest permit requirements



MS4 PHASE II DRAFT PROPOSED CHANGES

Part 4.1

- ❖ Added requirement to provide a description of the activity for each BMP in the SWMP

Tables 4.2.1 and 4.2.2

- ❖ Revised to also require documentation

Table 4.2.3

- ❖ Text was added to state the specific ordinance provisions that must be included for the permittee's authority to take legal action and to describe the frequency of evaluation (annually) and modification of the ordinance



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.3 (cont.)

- ❖ Describes how permittees should meet the requirement to inspect 100% of outfalls if they fall behind during one reporting period and includes a minimum number of activities per reporting period for permittees using an alternate method to conduct IDDE inspections

Table 4.2.4

- ❖ Specifies that the E&S ordinance must be evaluated annually
- ❖ Revised to require reporting of the number of LDA permits issued by a Local Issuing Authority



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.4 (cont.)

- ❖ Specifies that at least one inspection must be conducted at each active construction site during the reporting period. Specific requirements were explicitly stated for the inspection procedures. Additional information (the number and dates of inspections) is required.
- ❖ Specifies that enforcement procedures must be used for 100% of E&S violations and requires reporting of the amount of assessed penalties



MS4 PHASE II DRAFT PROPOSED CHANGES

Part 4.2.5.3

- ❖ Revised to specifically require the permittee to conduct a comprehensive evaluation of its building codes, ordinances, and other regulations to make sure they don't prohibit or impede use of GI/LID during the first year of the permit and submit the results with the first annual report. For subsequent years of the permit term, the permittee must either complete a comprehensive evaluation or reference the first year comprehensive evaluation and certify that no additional ordinance revisions are necessary.



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.5

- ❖ Specifies that the post-construction ordinance must be evaluated annually for existing permittees. For new permittees the ordinance must be evaluated annually after submitting a copy of the adopted ordinance that is due within one year of designation.
- ❖ Requires the inventory to include “publicly-owned structures owned by other entities” and clarified that this category only includes those facilities that do not have their own NPDES permit and that the permittee has the legal authority to inspect.



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.5 (cont.)

- ❖ Clarified that the permittee is only required to maintain structures that it has the legal authority to inspect. In addition to maintenance agreements, documentation is required for maintenance conducted by the owner/operator on non-permittee-owned structures.
- ❖ Clarified that permittees with a population <10,000 may include waiver criteria in the GI/LID program. The permit requires example forms to be used as documentation to be included in the GI/LID Program. The GI/LID Program is required to be evaluated annually.



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.5 (cont.)

- ❖ The GI/LID structure inspection and maintenance program was separated into 2 BMPs, BMP #7 covers the inspection program and BMP #8 covers the maintenance program. BMP #8 clarifies what must be addressed in the maintenance program, including documentation requirements.
- ❖ Revised to require newly designated permittees to develop and submit a GI/LID program within 3 years of designation



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.5 (cont.)

- ❖ BMP #6 was revised to list the specific types of GI/LID structures that must be included in the inventory, at a minimum. The permit was revised to require the status of inventory development or updates to be reported each annual report and requires that permittees ensure maintenance agreements are executed for all non-permittee-owned GI/LID structures.
- ❖ Revised to require newly designated permittees to begin inspecting and maintaining GI/LID structures listed on the inventory after submittal of the GI/LID Program



MS4 PHASE II DRAFT PROPOSED CHANGES

Table 4.2.6

- ❖ Revised to require documentation of the inspections and maintenance activities
- ❖ Revised to provide specifications of what the employee training program description should include
- ❖ Revised to clarify the intent is for the permittee not to evaluate detention/retention ponds, but rather evaluate all construction projects for water quality impacts to determine if green infrastructure or detention/retention ponds are needed



MS4 PHASE II DRAFT PROPOSED CHANGES

Part 4.4

- ❖ Clarified nomenclature related to activities based on permittee population
 - ❖ Impaired Waters Plan (IWP) vs. Impaired Waters Monitoring and Implementation Plan (MIP)

Part 4.4.2

- ❖ Specifies the bacteriological monitoring requirements for permittees with populations >10,000
- ❖ Requires the submittal of a Sampling Quality and Assurance Plan (SQAP) in the event that 2 years of data demonstrate bacteria below numeric criteria, which may enable the delisting of the stream being monitored



MS4 PHASE II DRAFT PROPOSED CHANGES

Appendix A

- ❖ A definition of Green Infrastructure/Low Impact Development has been added, and further specification was added to the definition of Stormwater Management Program (SWMP).



MS4 PHASE II DRAFT PROPOSED CHANGES

Permit Revisions to the draft permit issued on 8/25/22

- ❖ Part 4.4.2 (Impaired Waters)

- ❖ Removed the sentence “For those waters currently impaired for fecal coliform bacteria, upon EPA approval of an *E. Coli* or enterococci standard and EPD notification to the permittee, then the permittee will be required to revise the MIP and begin sampling for *E. Coli* and/or enterococci in place of fecal coliform bacteria.”

- ❖ Part 6.10.1 (Signatory Requirements)

- ❖ Corrected typo



BACTERIA EQUIVALENCY STRATEGY

<https://epd.georgia.gov/forms-permits/watershed-protection-branch-forms-permits/wastewater-permitting/permitting-strategies>

- ❖ Provides a framework for the implementation of the proposed changes to the bacteria criteria for water quality monitoring, 303(d)/305(b) listing purposes, TMDLs, and wastewater and stormwater permitting
- ❖ The pollutant of concern remains pathogenic bacteria; the indicator organism has changed



BACTERIA EQUIVALENCY STRATEGY

- ❖ With EPA's approval of the revised Water Quality Standards (Rule 391-3-6-.03) on August 31, 2022, all waters with the designated use of "Fishing" or "Drinking Water" (the majority of waters in the state) have a bacteria criteria of either *E. coli* or enterococci.
- ❖ EPD will no longer use fecal coliform data for 305(b)/303(d) purposes
- ❖ The 2024 303(d) List will not contain any segments impaired for fecal coliform, except for those in shellfish growing areas.
- ❖ The impairment will be reassessed as new *E. coli* or enterococci data is collected.



BACTERIA EQUIVALENCY STRATEGY

- ❖ Bacterial Indicator Supplements have been published to document the translation of the fecal coliform calculations to the new bacteria indicator for the segments listed in existing approved TMDL documents.

<https://epd.georgia.gov/watershed-protection-branch/total-maximum-daily-loadings#toc-tmdl-supplement-documents>

- ❖ The permit currently states that if a TMDL containing a wasteload allocation (WLA) specific to one or more the permittee's outfalls is approved, then the WLA must be incorporated in the SWMP.
- ❖ Permittees should begin updating their Monitoring and Implementation Plan to reflect the change in indicator organism and the TMDL Supplements.



COMMENTS AND QUESTIONS

- ❖ To make a comment, please do one of the following:
 - ❖ Indicate you would like to make a comment using the Chat feature.
 - ❖ Under the Participants list, select the “raise your hand” option.
 - ❖ If you have joined by phone the moderator will call out your phone number.
 - ❖ The moderator will call on you to ask your question or make your comment.
 - ❖ The moderator may limit speakers' time to ensure all participants have the opportunity to comment.
 - ❖ Statements that are lengthy or of a considerable technical nature must be submitted in writing for the official record.

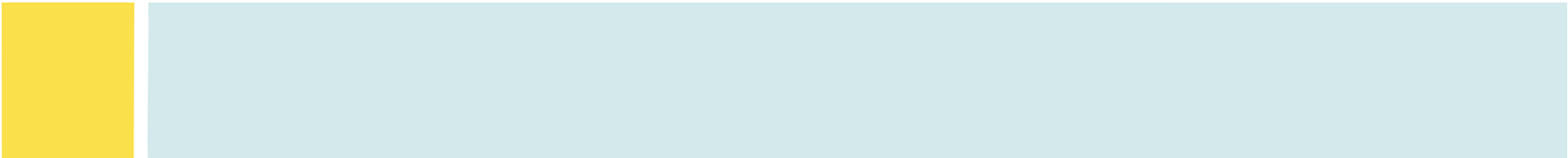


REMINDERS

- ❖ Written comments on the draft permit are due **Tuesday, October 4, 2022**
- ❖ Please include “*Draft Phase II MS4 Permit*” in the subject line or at the top of the first page of comments
- ❖ Send via e-mail to EPDcomments@dnr.ga.gov
- ❖ Or mail to:
Georgia Environmental Protection Division
Nonpoint Source Program, Municipal Stormwater
2 Martin Luther King Jr. Drive
Suite 1462 East
Atlanta, Georgia 30334



PUBLIC HEARING WILL BEGIN SHORTLY





WELCOME TO THE PUBLIC HEARING FOR THE PHASE II MS4 DRAFT PERMIT

Please note that everyone is entering the hearing with their microphones muted.

Please keep your microphones muted except when you are speaking. This will help us minimize background noise.

Please take a moment to open the Participants list and rename yourself to show your full name and affiliation, so we have that for our records. You should see a “Rename” option next to your name (or click on “More” to find this option).

To make a comment during this hearing, please do one of the following:

- **Indicate you would like to make a comment using the Chat feature.**
- **Under the Participants list, select the “raise your hand” option. The host will call on you to ask your question or make your comment.**



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Phase II NPDES Permit for Municipal Separate Storm Sewer Systems (MS4)

Veronica Crow
EPD Watershed Protection Branch
Nonpoint Source Program

Public Hearing
September 29, 2022



PHASE II MS4 DRAFT PERMIT

You can find links to the proposed draft permit on EPD's website

<https://epd.georgia.gov/watershed-protection-branch/storm-water/municipal-stormwater>

❖ The proposed draft permit, the fact sheet, and the public notice are posted on EPD's site

❖ A Public Notice for the proposed draft permit was sent to those subscribed for emailed public notices

The screenshot displays the EPD website's navigation bar with links to About EPD, Forms & Permits, Rules, Laws & Enforcement, Public Announcements, Outreach, and Emergency Response. Below the navigation bar, a breadcrumb trail shows the path: Home > About EPD > Watershed Protection > Stormwater > Municipal Stormwater. The main content area is titled "Municipal Stormwater" and includes contact information for Mildred Granderson, Miranda Knepp, and Jazmyn Broxton. It also provides information about the NPDES Municipal Separate Storm Sewer Systems (MS4) Permits and the 2022 Notice of Intent (NOI) form.

ENVIRONMENTAL PROTECTION DIVISION

▼ About EPD ▼ Forms & Permits ▼ Rules, Laws & Enforcement ▼ Public Announcements ▼ Outreach Emergency Response

Home > About EPD > Watershed Protection > Stormwater > Municipal Stormwater

About EPD

- > Contact Us
- > Air Protection
- > Land Protection
- ▼ Watershed Protection
 - > Wastewater
- Drinking Water

Municipal Stormwater

Contacts: Mildred Granderson (mildred.granderson@dnr.ga.gov), Miranda Knepp (miranda.knepp@dnr.ga.gov), and Jazmyn Broxton (jazmyn.broxton@dnr.ga.gov)

Municipal stormwater discharges are regulated through the NPDES Municipal Separate Storm Sewer Systems (MS4) Permits. GA EPD has issued Phase I permit requirements that apply to Large and Medium MS4s and Phase II permit requirements that apply to Small MS4s. Permit information and resources are available below.

Phase II MS4 Notice of Intent Form

Phase II MS4 permittees are required to submit a [2022 Notice of Intent \(NOI\) form](#). This form must be completed and submitted to EPD at least 30 days prior to the expiration date of the 2017 Phase II Small MS4 permit. The 2017 Phase II Small



OFFICIAL PUBLIC HEARING RECORD

- ❖ To make a statement for the official record, please do one of the following:
 - ❖ Indicate you would like to make a statement in one of the following ways:
 - Using the Chat feature, or
 - Using the “raise your hand” feature under the participants list
 - ❖ The moderator will call on you to make your statement (including those who have joined by phone).
 - ❖ Statements that are lengthy or of a considerable technical nature must be submitted in writing for the official record.



SUBMITTING WRITTEN COMMENTS

❖ **Deadline: Tuesday, October 4, 2022**

❖ E-mail to: EPDComments@dnr.ga.gov

❖ Regular mail to:

Georgia Environmental Protection Division
Nonpoint Source Program, Municipal Stormwater
2 Martin Luther King Jr. Drive
Suite 1462 East
Atlanta, Georgia 30334

❖ EPD greatly appreciates email comments.

❖ Please include the words “*Draft Phase II MS4 Permit*” in the subject line to help ensure that your comments are identified.